

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

John M. Agnello  
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*Attorneys for Plaintiffs*

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COSTEAS, AND DR. ANTHONY J.  
CASELLA as Trustees of Diagnostic &  
Clinical Cardiology, P.A. Profit Sharing  
Plan,

Plaintiffs,

v.

DR. MARIO A. CRISCITO,

Defendant.

Civil Action No. 2:08-cv-01567 (GEB/MCA)

**REPLY DECLARATION OF  
ANTHONY J. CASELLA IN FURTHER  
SUPPORT OF PLAINTIFFS' MOTION  
FOR AN AWARD OF ATTORNEYS'  
FEES AND COSTS**

**Return Date: June 6, 2011**

I, Anthony J. Casella, being of full age, hereby declare as follows:

1. I submit this Reply Declaration in Further Support of Plaintiffs' Motion for An Award of Attorneys' Fees and Costs.
2. On April 28, 2010, Plaintiffs retained John M. Agnello, Esq. and his Firm, Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C. to serve as co-counsel for Plaintiffs in

this matter. At the time that Mr. Agnello and Carella Byrne were retained, it was agreed that Carella Byrne would be lead counsel for Plaintiffs with respect to all procedural and substantive decisions to be made in the case on behalf of Plaintiffs and that the role of Plaintiffs' co-counsel, Witman Stadtmauer, would be reduced.

3. Carella Byrne continues as Plaintiffs' lead counsel in this matter, not only in the proceedings before this Court but in the proceedings pending in the Court of Appeals for the Third Circuit relating to Defendant's appeal of this Court's Final Judgment (Compensatory Damages).

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 31st day of May, 2011.

  
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ANTHONY J. CASELLA